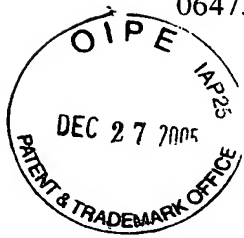


JFW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Cechan Tian et al.
U.S. Appln. Serial No.: 10/648,941
Filing Date: August 26, 2003
Examiner: Thanh X. Luu
Group No.: 2878
Notice of Allowance Mailed: November 23, 2005
Confirmation No.: 5930
Title: METHOD AND SYSTEM FOR CONTROLLING A
SECONDARY AMPLIFIER WITH A PRIMARY
AMPLIFIER IN AN OPTICAL NETWORK

Box Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date listed below.

Judy Baggett
Name

12/22/2005
Date of Signature

**REQUEST FOR CONSIDERATION OF AN INFORMATION
DISCLOSURE STATEMENT SUBMITTED BEFORE
MAILING OF THE NOTICE OF ALLOWANCE**

For reasons set forth below, **it is respectfully requested that the PTO file for this application be promptly forwarded to Examiner Thanh X. Luu**, for confirmation that the references listed on PTO-1449 attached to the Information Disclosure Statement filed February 25, 2005 have been considered.

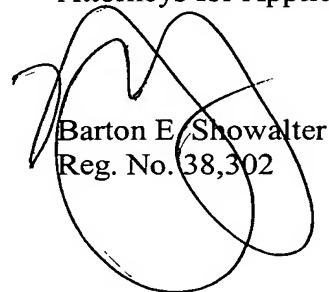
On February 25, 2005, Applicants filed an Information Disclosure Statement (IDS) with PTO-1449 form (three (3) pages) attached, listing the references submitted for DAL01:885482.1

consideration. A copy of the European Patent Office Search Report and the PCT case cited were also included. This IDS was received at the U.S. Patent and Trademark Office on February 25, 2005 as shown on the returned, date-stamped postcard, copy of which is attached. For the convenience of the Examiner, a copy of the Information Disclosure Statement and the one cited reference filed February 25, 2005 are enclosed.

The Notice of Allowability for this application was mailed on November 23, 2005. However, Examiner Luu has not returned a copy of the PTO-1449 form indicating consideration of the references cited in the Information Disclosure Statement filed February 25, 2005.

Accordingly, **Applicants hereby request confirmation of consideration of the previously filed Information Disclosure Statement.** Examiner Luu is requested to initial the references listed on the PTO-1449 form to show that they were appropriately considered during examination of this Application. The Commissioner is hereby authorized to credit any overpayment, or to charge any additional fee required by this paper, to Deposit Account No. 02-0384 of Baker Botts L.L.P.

BAKER BOTTS L.L.P.
Attorneys for Applicants



Barton E. Showalter
Reg. No. 38,302

2001 Ross Avenue, Suite 600
Dallas, Texas 75201-2980
(214) 953-6509

Enclosures: Copy of Information Disclosure Statement filed April 25, 2005
with Form PTO-1449 and a copy of the PCT cited reference;
Copy of acknowledgment post card showing
date stamp of February 25, 2005.

DAL01:885482.1

The "Received" stamp of the Patent and Trademark Office imprinted hereon acknowledges the filing of:

Application - Spec., Claims, Abstract (___ Page(s))

☐ CIP

☐ Conv. Prov.

☐ Div.

☐ Verified Statement (___ Page(s))

☐ Cont.

☐ Provisional

☐ ___ Mo. Extension of Time (___ Page(s))

☐ Informal/Formal Drawing(s) (___ Page(s))

☐ Amendment/Response (___ Page(s))

Declaration(s)/Power(s) of Attorney (___ Page(s))

☐ Executed

☐ Unexecuted

☐ Issue Fee Transmittal (___ Page(s))

☐ Assignment w/ or w/o Cover Sheet (___ Page(s))

☐ Check No. ___ Amt.: \$

☐ Check No. ___ Amt.: \$

☐ Other:

☒ IDS and PTO-1449 (3 total Pages)

☒ with References

☐ w/o Refs.

☐ Non-Publication Request (___ Page(s))

Inventor(s): Cechan Tian et al.

Serial No.: 10/468,941

Receipt Date & Serial No.:

Title: Method and System for Controlling an Amplifier in an Optical Network

Client/Applicant: Fujitsu Network Communications, Inc.

BB File No.: 064731.0377

Mailed: 2/25/05

Due:

Atty./Secy.:

Showalter/Ulbik

Certificate of Mailing

☒ Express Mail Rcpt. No.: EV473951422US

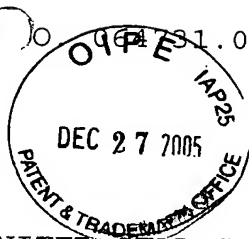
☐ First Class Mail

☐ Hand Delivered



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MAR 04 2005



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

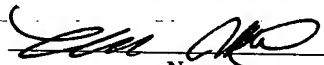
In re Application of: Cechan Tian et al.
Serial No.: 10/468,941
Filing Date: August 26, 2003
Group Art Unit: 2817
Title: METHOD AND SYSTEM FOR CONTROLLING AN
AMPLIFIER IN AN OPTICAL NETWORK

Honorable Commissioner
for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

EV473951422US

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Name2-25-05
Date of Signature

Express Mail No. EV 473951422 US

INFORMATION DISCLOSURE STATEMENT

Applicants respectfully request, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the references listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. Copies of these references are enclosed for the convenience of the Examiner. Furthermore, pursuant to 37 C.F.R. § 1.97(h), no representation is made that these references qualify as prior art or that these references are material to the patentability of the present application.

Enclosed is a copy of an European Patent Office Search Report identifying the references contained in this Information Disclosure Statement. The European Patent Office Search Report has a mailing date of February 2, 2005.

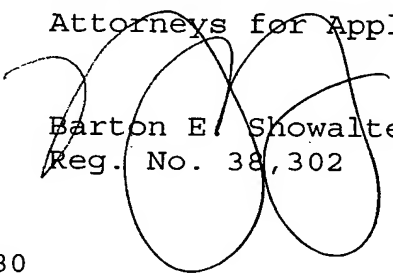
Therefore, I hereby certify that the references contained in this Information Disclosure Statement were cited for the first time in a communication from a foreign patent office in a related foreign application not more than three months prior to the filing of this Information Disclosure Statement. Furthermore, in the event a patent term adjustment is requested, pursuant to the requirements of 37 C.F.R. § 1.704, Applicant submits that the references contained in this Information Disclosure Statement were cited in a communication from a foreign patent office in a related application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

Pursuant to 37 C.F.R. § 1.97(c), Applicants believe that this Information Disclosure Statement has been filed before the mailing date of a final action or notice of allowance. Therefore, Applicants believe that no fee is due. However, if a fee is required, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicants


Barton E. Showalter
Reg. No. 38,302

2001 Ross Avenue
Dallas, Texas 75201-2980
(214) 953-6509
Date: 2/25/05
CORRESPONDENCE ADDRESS:

Customer Number:

05073

PTO-1449

Application No.

10/468,941

Applicant(s)

Cechan Tian et al.

**Information Disclosure Citation
In an Application**

Docket Number

064731

Group Fee Unit

3817

VAP25

Filing Date

August 26, 2003

U.S. PATENT DOCUMENTS

		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	A	6,307,670	10/23/2001	McNamara	359	341.33	12/14/1999
	B	6,535,330	03/18/2003	Lelic et al.	359	337.13	03/31/2001
	C	US 2002/0075562 A1	06/20/2002	Youn et al.	359	341.41	04/06/2001
	D						
	E						
	F						
	G						
	H						
	I						
	J						
	K						
	L						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	M	WO 01/80467 A1	10/25/2001	PCT	H04B10/17	H01S3/067	X	
	N							
	O							
	P							

		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
	Q	European Patent Office Search Report in European Patent Application No. EP 04 01 9921, dated February 2, 2005, 3 pages.	02/02/2005
	R		
	S		
	T		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

U.S. PATENT AND TRADEMARK OFFICE